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PATENT
Attorney Docket No. 06267.0130-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Leena OTSOMAA et al.) Group Art Unit: 1625
)
Application No.: 10/541,677) Examiner: Binta M. ROBINSON
)
Int'l Filing Date: January 9, 2004)
§ 371 Date: July 8, 2005)
) Confirmation No.: 8394
For: PYRIDINE DERIVATIVES)
USEFUL FOR INHIBITING)
SODIUM/CALCIUM EXCHANGE)
SYSTEM)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUBMISSION OF TERMINAL DISCLAIMER

Applicants respectfully thank the Examiner for her telephone call to Applicants' representatives on June 25, 2008, indicating that the currently pending claims 1-6 and 10 will be in order for Allowance if a Terminal Disclaimer over copending Application No. 10/482,396 is filed. Pursuant to that conversation, Applicants submit herewith a Terminal Disclaimer to obviate any Double Patenting rejections and respectfully request the pending claims be allowed.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

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Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 27, 2008

By: *Erin M. Sommers*
Erin M. Sommers
Reg. No. 60,974
(202) 408-4000



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Sir:

TERMINAL DISCLAIMER

Assignee, **ORION CORPORATION**, duly organized under the laws of Finland and having its principal place of business at Orionintie 1, Espoo, FINLAND FI-02200, represents that it is the assignee of the entire right, title, and interest in and to the above-identified application, Application No. 10/541,677, filed as an international application on January 9, 2004, for PYRIDINE DERIVATIVES USEFUL FOR INHIBITING SODIUM/CALCIUM EXCHANGE SYSTEM in the names of Leena OTSOMAA et al., as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 016697, Frame 0802 on October 28, 2005. Assignee, **ORION CORPORATION**, further represents that it is the assignee of the entire right,

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title, and interest in and to U.S. Application No. 10/482,396, which was allowed on May 22, 2008, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 015437, Frame 0093 on June 8, 2004.

To obviate a double patenting rejection, Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Application No. 10/482,396. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent resulting from Application No. 10/482,396 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated before the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 27, 2008

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